

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

THEODORE FLANAGAN,

Plaintiff,

v.

PINE LAKE ESTATES,

Defendant.

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CIVIL ACTION NO. 9:16-CV-00049-MHS


**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This case was assigned to the Honorable Zack Hawthorn, United States Magistrate Judge, for all pretrial matters pursuant to General Order 05-07. On March 10, 2016, the Plaintiff, proceeding *pro se*, filed a complaint alleging that he was discriminated against, in violation of the Fair Housing Act. (Doc. No. 1.) On March 18, 2016, an order to pay filing fee was mailed to the Plaintiff via certified mail return receipt requested. (Doc. No. 2.) This order was returned to the court as undeliverable. (Doc. No. 3) The magistrate judge filed a report and recommendation that the court dismiss the case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (Doc. No. 4.) The clerk mailed the report to a new address for the Plaintiff via certified mail return receipt requested, and the court received confirmation that the Plaintiff received the report. (Doc. No. 5.) The Plaintiff has still not paid the filing fee.

No objections have been filed to the magistrate judge's report and recommendation, and the time for doing so has passed. Furthermore, the court's independent review confirms that the magistrate judge's analysis is correct.

It is, therefore, **ORDERED** that the magistrate judge's report and recommendation (Doc. No. 4) is **ADOPTED**; and this case is **DISMISSED** without prejudice. A final judgment will be entered separately.

SIGNED this 20th day of May, 2016.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE